

BEFORE THE
STATE BOARD OF OPTOMETRY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Stipulated Surrender of
License by:

Case No. 2006-112

CHRISTINE ANN MATSON, O.D.
18291 Imperial Highway
Yorba Linda, CA 92886
Optometrist License No. 7990

Licensee.

DECISION AND ORDER

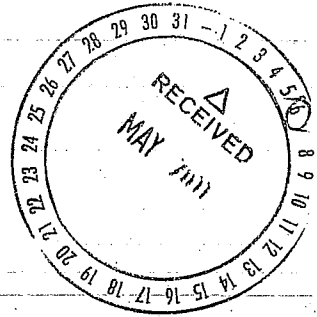
The attached Stipulated Surrender of License and Order is hereby adopted by the State Board of Optometry, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on July 29, 2011.

It is so ORDERED June 29, 2011



FOR THE STATE BOARD OF OPTOMETRY
DEPARTMENT OF CONSUMER AFFAIRS



1 KAMALA D. HARRIS
Attorney General of California
2 FRANK H. PACOE
Supervising Deputy Attorney General
3 CHAR SACHSON
Deputy Attorney General
4 State Bar No. 161032
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
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Attorneys for Complainant

7
8 **BEFORE THE**
9 **STATE BOARD OF OPTOMETRY**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Stipulated Surrender of
13 License by:

Case No. 2006-112

14 **CHRISTINE ANN MATSON, O.D.**
15 **18291 Imperial Highway**
16 **Yorba Linda, CA 92886**

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

17 **Optometrist License No. 7990**

18 Licensee.

19 IT IS HEREBY STIPULATED AND AGREED by and between the Board of Optometry
20 (Board) and Christine Ann Matson, O.D. (Licensee) that, upon the Licensee's request, she
21 voluntarily surrenders her Optometrist license pursuant to Condition 12 of the Board's Decision
22 in Case No. 2006-112 as follows:

23 **PARTIES**

24 1. Mona Maggio (Complainant) is the Executive Officer of the State Board of
25 Optometry. She is represented in this matter by Kamala D. Harris, Attorney General of the State
26 of California, by Char Sachson, Deputy Attorney General.

27 2. Christine Ann Matson, O.D. (Licensee) is representing herself in this proceeding and
28 has chosen not to exercise her right to be represented by counsel.

3. On or about February 3, 1984, the State Board of Optometry issued Optometrist License No. 7990 to Christine Ann Matson, O.D. The Optometrist License will expire on October 31, 2012, unless renewed.

STIPULATION TO SURRENDER

4. Condition 12 of the Board's decision in Case No. 2006-112 states:

License Surrender. During Respondent's term of probation, if she ceases practicing due to retirement or health reasons, or is otherwise unable to satisfy the conditions of probation, Respondent may surrender her Registration and Permit to the Board. The Board reserves the right to evaluate Respondent's request and to exercise its discretion whether to grant the request, or to take any other action deemed appropriate and reasonable under the circumstances, without further hearing. Upon formal acceptance of the tendered registration and the permit and wall certificate, Respondent will no longer be subject to the conditions of probation.

Surrender of Respondent's license shall be considered a disciplinary action and shall become a part of Respondent's license history with the Board. An optometrist whose registration and permit has been surrendered may petition the Board for reinstatement no sooner than one year from the effective date of the disciplinary decision.

A copy of Decision No. 2006-112 is attached hereto as Exhibit A and incorporated by reference.

5. The Licensee understands that by signing this stipulation, she enables the Board to issue an order accepting the surrender of her Optometrist license without further process.

6. This stipulation shall be subject to approval by the Board. The Licensee understands and agrees that counsel for Complainant and Board staff may communicate directly with the Board regarding this stipulation and surrender, without notice to or participation by the Licensee. By signing the stipulation, the Licensee understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation and order its acceptance, the Stipulated Surrender shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

7. The parties understand and agree that facsimile copies of this Stipulated Surrender of License and Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

8. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

9. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Order:

ORDER

IT IS HEREBY ORDERED that Optometrist License No. 7990, issued to Christine Ann Matson, O.D., is surrendered and accepted by the State Board of Optometry.

1. The surrender of Licensee's Optometrist License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Licensee. This stipulation constitutes a record of the discipline and shall become a part of Licensee's license history with the Board.

2. Licensee shall lose all rights and privileges as an optometrist in California as of the effective date of the Board's Decision and Order.

3. Licensee shall cause to be delivered to the Board her pocket license and, if one was issued, her wall certificate on or before the effective date of the Decision and Order.

4. If Licensee ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Licensee must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed.

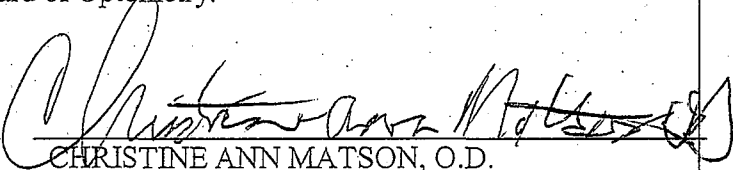
5. If and when Licensee's license is reinstated, she shall pay to the Board all outstanding costs associated with its investigation and enforcement of Case No. 2006-112

1 pursuant to Business and Professions Code section 125.3 in the amount of \$1,893.62. Licensee
2 shall be permitted to pay these costs in a payment plan approved by the Board. Nothing in this
3 provision shall be construed to prohibit the Board from reducing the amount of cost recovery
4 upon reinstatement of the license.

5
6 ACCEPTANCE

7 I have carefully read the Stipulated Surrender of License and Order. I understand the
8 stipulation and the effect it will have on my Optometrist License. I enter into this Stipulated
9 Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound
10 by the Decision and Order of the State Board of Optometry.

11
12 DATED: 5/2/11


CHRISTINE ANN MATSON, O.D.
Licensee

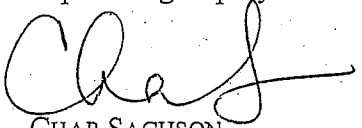
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15 ENDORSEMENT

16 The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted
17 for consideration by the State Board of Optometry of the Department of Consumer Affairs.

18 Dated: June 3
~~March 22~~, 2011

Respectfully submitted,

19 KAMALA D. HARRIS
20 Attorney General of California
21 FRANK H. PACOE
22 Supervising Deputy Attorney General


23 CHAR SACHSON
24 Deputy Attorney General
25 *Attorneys for Complainant*

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Exhibit A

Decision No. 2006-112

LEE A. GOLDSTEIN, O.D. MPA
PRESIDENT
BOARD OF OPTOMETRY

1 EDMUND G. BROWN JR., Attorney General
of the State of California

2 LINDA K. SCHNEIDER

Supervising Deputy Attorney General

3 BEN E. JOHNSON, State Bar No. 84406

Deputy Attorney General

4 110 West "A" Street, Suite 1100

San Diego, CA 92101

5 P.O. Box 85266

6 San Diego, CA 92186-5266

7 Telephone: (619) 645-2195

8 Facsimile: (619) 645-2061

9 Attorneys for Complainant

10 **BEFORE THE STATE BOARD OF OPTOMETRY**
11 **DEPARTMENT OF CONSUMER AFFAIRS**
12 **STATE OF CALIFORNIA**

13 In the Matter of the Accusation Against:

Case No.: CC 2006-112

14 **CHRISTINE ANN MATSON, O.D.,**
15 d.b.a.: Old Towne Optometry

16 18291 Imperial Highway
Yorba Linda, CA 92886

17 Certificate of Registration No. OPT 7990
18 Fictitious Name Permit No. 2663

Respondent.

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

19 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
20 entitled proceedings that the following matters are true:

21 **PARTIES**

22 1. Margie McGavin (Complainant) is the Interim Executive Officer of the Board of
23 Optometry. She brought this action solely in her official capacity and is represented in this
24 matter by Ben E. Johnson, Deputy Attorney General, on behalf of Edmund G. Brown Jr.,
25 Attorney General of the State of California.

26 2. Christine Ann Matson, O.D. (Respondent) is represented in this proceeding by
27 attorney Raymond J. McMahon, whose address is 1851 East First Street, Suite 810
28 Santa Ana, CA 92705; and whose telephone number is 714 480-2510.

1 3. On or about February 8, 1984, the Board of Optometry issued Certificate of
2 Registration No. OPT 7990 to Christine Ann Matson, O.D.. The Registration was in full force
3 and effect at all times relevant to the charges brought in Accusation No. CC 2006-112 and will
4 expire on October 31, 2010, unless renewed.

5 4. On or about May 24, 2000, the Board of Optometry issued Fictitious Name
6 Permit number 2663 to Christine Ann Matson, O.D., d.b.a.: Old Towne Optometry. The Permit
7 was in full force and effect at all times relevant to the charges brought in Accusation No. CC
8 2006-112 and will expire on January 31, 2010, unless renewed.

9 **JURISDICTION**

10 5. Accusation No. CC 2006-112 was filed before the Board of Optometry (Board),
11 Department of Consumer Affairs, and is currently pending against Respondent. The Accusation
12 and all other statutorily required documents were properly served on Respondent on January 8,
13 2008. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of
14 Accusation No. CC 2006-112 is attached as exhibit A and incorporated herein by reference.

15 **ADVISEMENT AND WAIVERS**

16 6. Respondent has carefully read, fully discussed with counsel, and understands the
17 charges and allegations in Accusation No. CC 2006-112. Respondent has also carefully read,
18 fully discussed with counsel, and understands the effects of this Stipulated Settlement and
19 Disciplinary Order.

20 7. Respondent is fully aware of her legal rights in this matter, including the right to a
21 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
22 the witnesses against her; the right to present evidence and to testify on her own behalf; the right
23 to the issuance of subpoenas to compel the attendance of witnesses and the production of
24 documents; the right to reconsideration and court review of an adverse decision; and all other
25 rights accorded by the California Administrative Procedure Act and other applicable laws.

26 8. Respondent voluntarily, knowingly, and intelligently waives and gives up each
27 and every right set forth above.
28

1 CULPABILITY

2 9. Respondent admits the truth of each and every charge and allegation in
3 Accusation No. CC 2006-112.

4 10. Respondent agrees that her Optometrist Registration and Permit are subject to
5 discipline and she agrees to be bound by the Board of Optometry's imposition of discipline as set
6 forth in the Disciplinary Order below.

7 RESERVATION

8 11. The admissions made by Respondent herein are only for the purposes of this
9 proceeding, or any other proceedings in which the Board of Optometry or other professional
10 licensing agency is involved, and shall not be admissible in any other criminal or civil
11 proceeding.

12 OTHER MATTERS

13 12. The parties understand and agree that facsimile copies of this Stipulated
14 Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same
15 force and effect as the originals.

16 CONTINGENCY

17 13. This stipulation shall be subject to approval by the Board. Respondent
18 understands and agrees that counsel for Complainant and the staff of the State Board of
19 Optometry may communicate directly with the Board regarding this stipulation and settlement,
20 without notice to or participation by Respondent or her counsel. By signing the stipulation,
21 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind
22 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt
23 this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall
24 be of no force or effect. Except for this paragraph, it shall be inadmissible in any legal action
25 between the parties, and the Board shall not be disqualified from further action by having
26 considered this matter.

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the Board, which may be adjusted on an annual basis. Such costs shall be payable to the Board of Optometry and delivered to the Board or its designee no later than January 31 of each calendar year. Failure to pay costs within 30 calendar days of the due date is a violation of probation. Upon successful completion of probation, Respondent's Registration and Permit shall be fully restored.

3. **Report in Person.** Respondent, during the period of probation, shall appear in person at interviews/meetings as directed by the Board or its designated representatives.

4. **Residency, Practice, or Licensure Outside of State.** Periods of residency or practice as an optometrist outside of California shall not apply toward a reduction of this probation time period. Respondent's probation is tolled, if and when she resides outside of California. Respondent must provide written notice to the Board within 15 days of any change of residency or practice outside the state, and within 30 days prior to re-establishing residency or returning to practice in this state.

Respondent shall provide a list of all states and territories where she has ever been licensed as an optometrist. Respondent shall further provide information regarding the status of each license and any changes in such license status during the term of probation. Respondent shall inform the Board if she applies for or obtains a new optometry license during the term of probation.

5. **Submit Written Reports.** Respondent, during the period of probation, shall submit or cause to be submitted such written reports/declarations and verification of actions under penalty of perjury, as required by the Board. These reports/declarations shall contain statements relative to Respondent's compliance with all of the conditions of the Board's Probation Program. Respondent shall immediately execute all release of information forms as may be required by the Board or its representatives.

Respondent shall provide a copy of this decision to the optometric regulatory agency in every state and territory in which she has an optometry license.

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1 6. **Function as an Optometrist.** Respondent, during the period of probation, shall
2 engage in the practice of optometry in California for a minimum of 12 hours per week for 6
3 consecutive months, within each year of probation, or as determined by the Board.

4 For purposes of compliance with the section, "engage in the practice of optometry" may
5 include, when approved by the Board, volunteer work as an optometrist, or work in any
6 non-direct patient care position that requires licensure as an optometrist.

7 If Respondent has not complied with this condition during the probationary term, and
8 Respondent has presented sufficient documentation of her good faith efforts to comply with this
9 condition, and if no other conditions have been violated, the Board, in its discretion, may grant
10 an extension of the Respondent's probation period up to one year without further hearing in
11 order to comply with this condition. During the one year extension, all original conditions of
12 probation shall apply.

13 7. **Employment Approval and Reporting Requirements.** Respondent shall obtain
14 prior approval from the Board before commencing or continuing the practice of optometry.
15 Respondent shall cause to be submitted to the Board any available performance evaluations and
16 other employment related reports as an optometrist upon request of the Board.

17 If working as an employee, Respondent shall provide a copy of this decision to her
18 employer and immediate supervisors prior to commencement of the practice of optometry.

19 In addition to the above, Respondent shall notify the Board in writing within seventy-two
20 (72) hours after she obtains any optometric employment. Respondent shall notify the Board in
21 writing within seventy-two (72) hours after she is terminated or separated, regardless of cause,
22 from any optometric employment with a full explanation of the circumstances surrounding the
23 termination or separation.

24 8. **Employment Limitations.** Respondent shall not work in any health care setting
25 as a supervisor of optometrists. Respondent may hire optometrists to work in her office, but only
26 as independent contractors. Not as employees whom she supervises. The Board may
27 additionally restrict Respondent from supervising technicians and/or unlicensed assistive
28 personnel on a case-by-case basis.

Respondent shall not work as a faculty member in an approved school of optometry or as an instructor in a Board approved continuing education program.

Respondent shall work only on a regularly assigned, identified and predetermined worksite(s) and shall not work in a float capacity.

If the Respondent is working or intends to work in excess of 40 hours per week, the Board may request documentation to determine whether there should be restrictions on the hours of work.

9. **Complete an Optometry Course.** Respondent, at her own expense, shall enroll and successfully complete 20 hours of continuing education course(s) per year for each year of probation. Said course(s) shall be relevant to the practice of optometry. Additionally, Respondent shall complete at least one course in ethics during the probationary period. These courses shall be in addition to the courses required for license renewal. Respondent shall obtain prior approval from the Board before enrolling in the ethics course. The courses are to be completed no later than six months prior to the end of the probationary term. Respondent shall submit to the Board original transcripts or certificates of completion for the above required courses. The Board shall return the original documents to Respondent after photocopying them for its records.

10. **Cost Recovery.** Respondent shall pay to the Board costs associated with its investigation and enforcement of this matter pursuant to Business and Professions Code Section 125.3 in the amount of \$3,933.00. Respondent shall be permitted to pay these costs in a payment plan approved by the Board, with payments to be completed no later than six months prior to the end of the probation term.

If Respondent has not complied with this condition during the probationary term, and Respondent has presented sufficient documentation of her good faith efforts to comply with this condition, and if no other conditions have been violated, the Board, in its discretion, may grant extension of the Respondent's probation period up to one year without further hearing in order to comply with this condition. During the one year extension, all original conditions of probation will apply.

1 11. **Violation of Probation.** If Respondent violates the conditions of her probation,
2 the Board, after giving the Respondent notice and an opportunity to be heard, may set aside the
3 stay order and impose the stayed revocation of the Respondent's Registration and Permit.

4 If, during the period of probation, an accusation or petition to revoke probation has been
5 filed against Respondent's Registration and Permit or the Attorney General's Office has been
6 requested to prepare an accusation or petition to revoke probation against the Respondent's
7 Registration and Permit, the probationary period shall automatically be extended and shall not
8 expire until the accusation or petition has been acted upon by the Board.

9 12. **License Surrender.** During Respondent's term of probation, if she ceases
10 practicing due to retirement or health reasons, or is otherwise unable to satisfy the conditions of
11 probation, Respondent may surrender her Registration and Permit to the Board. The Board
12 reserves the right to evaluate Respondent's request and to exercise its discretion whether to grant
13 the request, or to take any other action deemed appropriate and reasonable under the
14 circumstances, without further hearing. Upon formal acceptance of the tendered registration and
15 the permit and wall certificate, Respondent will no longer be subject to the conditions of
16 probation.

17 Surrender of Respondent's license shall be considered a disciplinary action and shall
18 become a part of Respondent's license history with the Board. An optometrist whose
19 registration and permit has been surrendered may petition the Board for reinstatement no sooner
20 than one year from the effective date of the disciplinary decision.

21 13. **Drugs - Abstain From Use.** Respondent, except when prescribed by a licensed
22 health care provider for a bona fide illness or condition, shall abstain completely from the
23 personal use or possession of controlled substances as defined in the California Uniform
24 Controlled Substances Act (Health and Safety Code sections 11000 et. seq.), and dangerous
25 drugs as defined by Section 4211 of the Business and Professions Code or any drugs requiring a
26 prescription.

27 14. **Alcohol - Abstain From Use.** Respondent shall abstain completely from the use
28 of alcoholic beverages.

1 15. **Submit to Tests and Samples.** Respondent, at her expense, shall participate in a
2 random, biological fluid testing or a drug screening program which the Board approves. The
3 length of time and frequency will be subject to approval by the Board. The Respondent is
4 responsible for keeping the Board informed of Respondent's current telephone number at all
5 times. Respondent shall also ensure that messages may be left at the telephone number when she
6 is not available and ensure that reports are submitted directly by the testing agency to the Board,
7 as directed. Any confirmed positive finding shall be reported immediately to the Board by the
8 program and Respondent shall be considered in violation of probation.

9 In addition, Respondent, at any time during the period of probation, shall fully cooperate
10 with the Board or any of its representatives, and shall, when requested, submit to such tests and
11 samples as the Board or its representatives may require for the detection of alcohol, narcotics,
12 hypnotics, dangerous drugs, or other controlled substances.

13 If Respondent has a positive drug screen for any substance not legally authorized and not
14 reported to the coordinating physician, nurse practitioner, or physician assistant, and the Board
15 files a petition to revoke probation or an accusation, the Board may suspend Respondent from
16 practice pending the final decision on the petition to revoke probation or the accusation. This
17 period of suspension will not apply to the reduction of this probationary time period.

18 If Respondent fails to participate in a random, biological fluid testing or drug screening
19 program within the specified time frame, the Respondent shall immediately cease practice and
20 shall not resume practice until notified by the Board. After taking into account documented
21 evidence of mitigation, if the Board files a petition to revoke probation or an accusation, the
22 Board may suspend Respondent from practice pending the final decision on the petition to
23 revoke probation or the accusation. This period of suspension will not apply toward the
24 reduction of this probationary time period.

25 16. **Community Service.** Within 60 days of the effective date of this decision,
26 Respondent shall identify a community service program or charitable facility or agency, other
27 than a Narcotics Anonymous or an Alcoholics Anonymous ("A.A.") organization, that
28 Respondent shall provide 192 hours of free, non-optometric services. The 192 hours of free,

1 non-optometric services shall be completed during the first 26 months of probation. Respondent,
2 prior to initiating her community service, shall obtain the Board's approval of the community
3 service program.

4 17. **Mental Health Examination** - The respondent shall, within 45 days of the
5 effective date of this decision, have a mental health examination including psychological testing
6 as appropriate to determine her ability to perform the duties of an optometrist. The examination
7 will be performed by a psychiatrist, psychologist or other licensed mental health practitioner
8 approved by the Board. The examining mental health practitioner will submit a written report of
9 that assessment and recommendations to the Board. All costs are the responsibility of the
10 Respondent. Recommendations for treatment, therapy or counseling made as a result of the
11 mental health examination will be instituted and followed by the Respondent.

12 If, during the probationary period, Respondent is determined to not be able to practice
13 safely as an optometrist, the licensed mental health care practitioner making this determination
14 shall immediately notify the Board and respondent by telephone, and the Board shall request that
15 the Attorney General's office prepare an accusation or petition to revoke probation. Respondent
16 shall immediately cease practice and may not resume practice until notified by the Board. During
17 this period of suspension, respondent shall not engage in any practice for which a license issued
18 by the Board is required, until the Board has notified respondent that a mental health
19 determination permits respondent to resume practice. This period of suspension will not apply
20 toward the reduction of this probationary time period.

21 If the Respondent fails to have the above assessment submitted to the Board within 45-
22 days of its request, Respondent shall immediately cease practice and shall not resume practice
23 until notified by the Board. This period of suspension will not apply to the reduction of this
24 probationary time period. The Board may waive or postpone this suspension only if significant,
25 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
26 by the Respondent to obtain the assessment, and a specific date for compliance must be
27 provided. Only one such waiver or extension may be permitted.

28 /

1 **18. Participate in Treatment/Rehabilitation Program for Chemical Dependence.**

2 Respondent, at her expense, shall successfully complete during the probationary period
3 or shall have successfully completed prior to commencement of probation a Board-approved
4 treatment/rehabilitation program of at least six months duration. As required, reports shall be
5 submitted by the program on forms provided by the Board. If Respondent has not completed a
6 Board-approved treatment/rehabilitation program prior to commencement of probation,
7 Respondent, within 45 days from the effective date of the decision, shall be enrolled in a
8 program. If a program is not successfully completed within the first nine months of probation,
9 the Board shall consider Respondent to be in violation of probation.

10 Based on the Board's recommendation, each week Respondent shall be required to attend
11 at least one, but no more than five, 12-step recovery meeting(s) or equivalent (e.g., Narcotics
12 Anonymous, Alcoholics Anonymous, etc.) as approved and directed by the Board. Respondent
13 shall submit dated and signed documentation confirming such attendance to the Board during the
14 entire period of probation. Respondent shall continue with the recovery plan recommended by
15 the treatment/rehabilitation program or a licensed mental health examiner and/or other ongoing
16 recovery group(s).

17 **19. Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent shall
18 completely abstain from the possession, injection or consumption by any route of all controlled
19 substances and psychotropic (mood-altering) drugs, except when the same are ordered by a
20 health care professional legally authorized to do so as part of a documented medical treatment.
21 Respondent, within fourteen (14) days the initial documented medical treatment, shall have sent
22 to the Board, in writing by the prescribing health care professional, a report identifying the
23 medication, dosage, the date the medication was prescribed, Respondent's prognosis, the date the
24 medication will no longer be required, and the effect on the recovery plan, if appropriate.

25 Respondent shall identify for the Board a single physician, nurse practitioner or physician
26 assistant who shall be aware of Respondent's history of substance abuse and will coordinate and
27 monitor any/all prescriptions for dangerous drugs, controlled substances or mood-altering drugs
28 prescribed for Respondent. The coordinating physician, nurse practitioner, or physician assistant

1 shall report to the Board on a quarterly basis Respondent's compliance with this condition. If any
2 substances have been prescribed, the report shall identify a regimen for the time-limited use of
3 any such substances.

4 The Board may require the single coordinating physician, nurse practitioner, or physician
5 assistant to be a specialist in addictive medicine, or to consult with a specialist in addictive
6 medicine.

7 20. **Drug, Alcohol, or Other Chemical Abuse Counseling and**
8 **Treatment.** Within 15 days of the effective date of this decision, Respondent shall submit the
9 name, business address and business telephone number of three persons who are professionally
10 qualified to provide counseling and treatment for drug, alcohol or other chemical abuse
11 appropriate to the case. Thereafter the board through its staff shall select one of these persons to
12 provide the necessary counseling and treatment. Within 30 days of written notification of this
13 selection to the Respondent the Respondent shall, in consultation with this counselor and treating
14 professional, prepare and submit to the board for its approval, a counseling and treatment
15 program. All costs associated with the counseling and treatment program shall be paid by
16 Respondent. Respondent shall successfully complete this counseling and treatment program as a
17 condition of probation.

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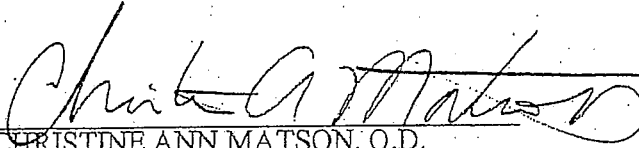
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1 ACCEPTANCE

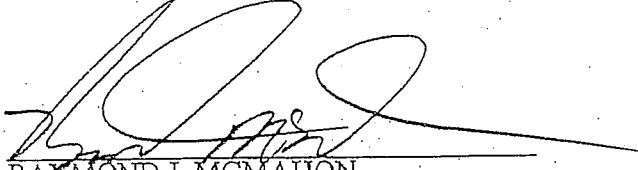
2 I have carefully read the above Stipulated Settlement and Disciplinary Order and have
3 fully discussed it with my attorney, Raymond J McMahon. I understand the stipulation and the
4 effect it will have on my Optometrist Certificate of Registration and Permit. I enter into this
5 Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree
6 to be bound by the Decision and Order of the Board of Optometry.

7
8 DATED: 6-12-09

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10 
11 CHRISTINE ANN MATSON, O.D.
12 Respondent
13

14 I have read and fully discussed with Respondent Christine Ann Matson, O.D. the terms
15 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary
16 Order. I approve its form and content.

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18 DATED: June 12, 2009

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21 RAYMOND J. MCMAHON
22 Attorney for Respondent
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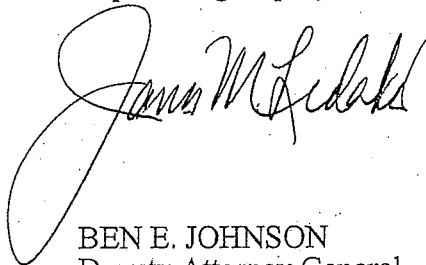
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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
submitted for consideration by the Board of Optometry.

DATED: June 15, 2009

EDMUND G. BROWN JR., Attorney General
of the State of California
LINDA K. SCHNEIDER
Supervising Deputy Attorney General



BEN E. JOHNSON
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No. CC 2006-112

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 ALFREDO TERRAZAS,
Senior Assistant Attorney General
3 JAMES LEDAKIS
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4 California Department of Justice
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8 Attorneys for Complainant
9

10 **BEFORE THE**
11 **STATE BOARD OF OPTOMETRY**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

13 In the Matter of the Accusation Against:

Case No. CC 2006-112

14 CHRISTINE ANN MATSON, O.D.
18291 Imperial Hwy
15 Yorba Linda, CA 92886

A C C U S A T I O N

16 Optometrist License No. 7990

17 Respondent.
18

19 Complainant alleges:

20 **PARTIES**

21 1. Taryn Smith (Complainant) brings this Accusation solely in her official capacity
22 as the Executive Officer of the State Board of Optometry, Department of Consumer Affairs.

23 2. On or about February 8, 1984, the State Board of Optometry issued Optometrist
24 License Number 7990 to Christine Ann Matson, O.D. (Respondent). The optometrist license
25 was in full force and effect at all times relevant to the charges brought herein and will expire on
26 October 31, 2008, unless renewed.

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3. This Accusation is brought before the State Board of Optometry (Board),

A. Section 3090 of the Code states:

"Except as otherwise provided by law, the board may take action against all persons of violating this chapter or any of the regulations adopted by the board. The board shall and administer this article as to license holders, and the board shall have all the powers in this chapter for these purposes, including, but not limited to, investigating complaints of the public; other licensees, health care facilities, other licensing agencies, or any other suggesting that an optometrist may be guilty of violating this chapter or any of the regulations adopted by the board."

B. Section 3110 of the Code states:

"The board may take action against any licensee who is charged with unprofessional conduct, and may deny an application for a license if the applicant has committed unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

• • • • •

"(k) Conviction of a felony or of any offense substantially related to the qualifications, requirements, and duties of an optometrist, in which event the record of the conviction shall be admissible as evidence thereof.

(1) Administering to himself or herself any controlled substance or using any of the drugs specified in Section 4022, or using alcoholic beverages to the extent, or in a manner, as to be dangerous or injurious to the person applying for a license or holding a license under this chapter, or to any other person, or to the public, or, to the extent that the use impairs the ability of the person applying for or holding a license to conduct with safety to the public the business authorized by the license, or the conviction of a misdemeanor or felony involving the consumption, or self administration of any of the substances referred to in this subdivision,

1 or any combination thereof.

2 "...."

3 C. Section 125.3 of the Code provides, in pertinent part, that the Board may request
4 the administrative law judge to direct a licensee found to have committed a violation or
5 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
6 and enforcement of the case.

7 CHARGES AND ALLEGATIONS

8 FIRST CAUSE FOR DISCIPLINE

9 (Unprofessional Conduct: Conviction of a Substantially Related Crime
10 Incident Date: 2/1/07 - Conviction Date: 4/17/07)

11 4. Respondent is subject to disciplinary action under section 3110(k) in that she has
12 been convicted of a crime substantially related to the qualifications, functions, and duties of an
13 optometrist, as more particularly alleged below:

14 A. On or about April 17, 2007, in Orange County Superior Court North Justice
15 District Center Case No. 07NM03106, *People v. Christine Ann Matson*, Respondent pled guilty
16 to driving with a blood alcohol level of .08% or more, to wit, 0.13%, a violation of Vehicle Code
17 section 23152(b), a misdemeanor.

18 B. Respondent was sentenced to, among other things, 3 years probation; to pay
19 various fines; to do 10 days labor in lieu of 10 days in jail; and to attend and complete both the
20 First Offender program and the MADD Victim's Impact Panel.

21 C. The facts and circumstances surrounding Respondent's conviction are that on or
22 about February 1, 2007 Respondent was driving her car while under the influence of both alcohol
23 and prescription drugs such that she had to be helped to walk as she was unsteady on her feet, her
24 speech was slow and slurred, her eyes were bloodshot and she had a strong odor of an alcoholic
25 beverage on her breath. Respondent admitted drinking a bottle of wine and to taking prescription
26 drugs, including Soma and "Contazepam."

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5. Respondent is subject to disciplinary action under section 3110(l) in that on or about February 1, 2007, Respondent self-administered alcohol and/or controlled substances or dangerous drugs to such an extent that she was a danger to herself and others when she drove her vehicle, as more particularly alleged above and incorporated herein by reference.

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6. Respondent is subject to disciplinary action under section 3110(k) in that she has been convicted of a crime substantially related to the qualifications, functions, and duties of an optometrist, as more particularly alleged below:

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7. Respondent is subject to disciplinary action under section 3110(k) in that she has been convicted of a crime substantially related to the qualifications, functions, and duties of an optometrist, as more particularly alleged below:

1 A. On or about March 15, 2006, in Orange County Superior Court North Justice
2 District Center Case No. 05NM09808, *People v. Christine Ann Matson*, Respondent pled guilty
3 to maliciously and willfully disturbing another person by loud and unreasonable noise, a
4 violation of Penal Code section 415(2), a misdemeanor.

5 B. Respondent was sentenced to 2 years informal probation and to pay various fines.

6 C. The facts and circumstances surrounding Respondent's conviction involve her
7 trespass into a neighbor's house when she falsely accused him of illegal surveillance of her when
8 she was buying vodka at a nearby liquor store. Further, when she was arrested, she resisted
9 arrest.

10 PRAYER


11 WHEREFORE, Complainant requests that a hearing be held on the matters herein
12 alleged, and that following the hearing, the State Board of Optometry issue a decision:

13 1. Revoking or suspending Optometrist License Number 7990, issued to Christine
14 Ann Matson, O.D.;

15 2. Ordering Christine Ann Matson, O.D. to pay the State Board of Optometry the
16 reasonable costs of the investigation and enforcement of this case, pursuant to Business and
17 Professions Code section 125.3;

18 3. Taking such other and further action as deemed necessary and proper.

19 DATED: 9/25/07

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23 TARYN SMITH
24 Executive Officer
25 State Board of Optometry
26 Department of Consumer Affairs
27 State of California
28 Complainant